
Fisheries

Fisheries (Commercial Fishing) Regulations 2001

Seabird Scaring Devices Circular 2010 (No. F517)

Pursuant to Regulation 58A of the Fisheries (Commercial Fishing) Regulations 2001, the Chief Executive of the Ministry of Fisheries issues the following circular.

Circular

1. **Title**—This circular is the Seabird Scaring Devices Circular 2010.
2. **Commencement**—This circular shall come into effect on 12 March 2010.
3. **Interpretation**—In this circular:

“bird baffler” means:

two or more booms attached to the stern quarter of the vessel, with at least one boom attached to the starboard stern quarter and at least one boom attached to the port stern quarter, which are able to be lifted and lowered over the sides or stern of the vessel;

- (a) each boom shall extend outwards not less than four metres from the side or stern of the vessel;
- (b) dropper lines, shall be attached to the booms no more than 2 metres apart;
- (c) plastic cones, rods or other brightly coloured and durable material shall be attached to the ends of the dropper lines, so that the bottom of the cone, rod or material is not more than 500 millimetres above the water, in the absence of wind and swell; and
- (d) lines or webbing may be attached between the dropper lines to prevent tangling.

“paired streamer lines” means:

two lines of a minimum of 8 millimetres in diameter, hereafter known as “streamer lines”, which shall be of a length so that when deployed the streamer lines have an aerial extent of at least 10 metres behind the point at which the trawl warps enter the water, in the absence of wind or swell;

- (a) streamer lines shall be attached to the port and starboard sides of the vessel from a point as close to 2 metres above the trawl blocks as practicable and as close to the stern as practicable. Streamer lines shall be attached either:
 - (i) between 1–3 metres from the outside edge of the trawl blocks on both sides of the vessel, on a sidearm if necessary; or
 - (ii) to a “boom and bridle” system that allows the streamer lines to be adjusted on a horizontal plane in order to vary the distance between the streamer line attachment point and the outside of the trawl blocks and is positioned to ensure maximum protection of the trawl warps at all times;
- (b) an object shall be attached at the seaward end of each of the streamer lines. The object must create sufficient drag on the streamer line to ensure that the streamer line is taut behind the vessel at all times; and
- (c) branched streamers, each comprising of two strands of fluorescent red, yellow, orange or pink plastic tubing of a minimum of 3 millimetres in diameter, shall be attached no more than 5 metres apart commencing no more than 5 metres from the point of attachment of the streamer line to the vessel and thereafter along the seaward extent of the line. When a streamer line is deployed, each of the branched streamers must reach the sea surface in the absence of wind and swell. Branched streamer length will therefore vary depending on the height of its attachment point above the water but, in any event, every branched streamer must be at least one metre in length; and
- (d) each branched streamer shall be attached to the streamer line in a manner to prevent fouling of individual branched streamers on the main streamer line, and to ensure vertical displacement of individual branched streamers to the waterline in the absence of wind or swell.

“warp deflector” means:

a weighted device fixed to each warp with clips or hooks, which allow for the device to slide up and down the warp freely and to stay aligned under each warp;

- (a) when set, the backbone of the device must extend under the warps from a point not more than 4 metres behind the stern and extend as close as practicable to the point where the warps enter the water, in the absence of wind or swell; and
- (b) The backbone of the device shall be made of rope or metal and shall be fitted with colourful durable material of no less than 300 millimetres in length, woven or tied to the backbone at spacings of no more than 250 millimetres apart in a manner designed to create a visible deterrent.

“seabird scaring device” means:

- (a) paired streamer lines;
- (b) a bird baffler; or
- (c) a warp deflector.

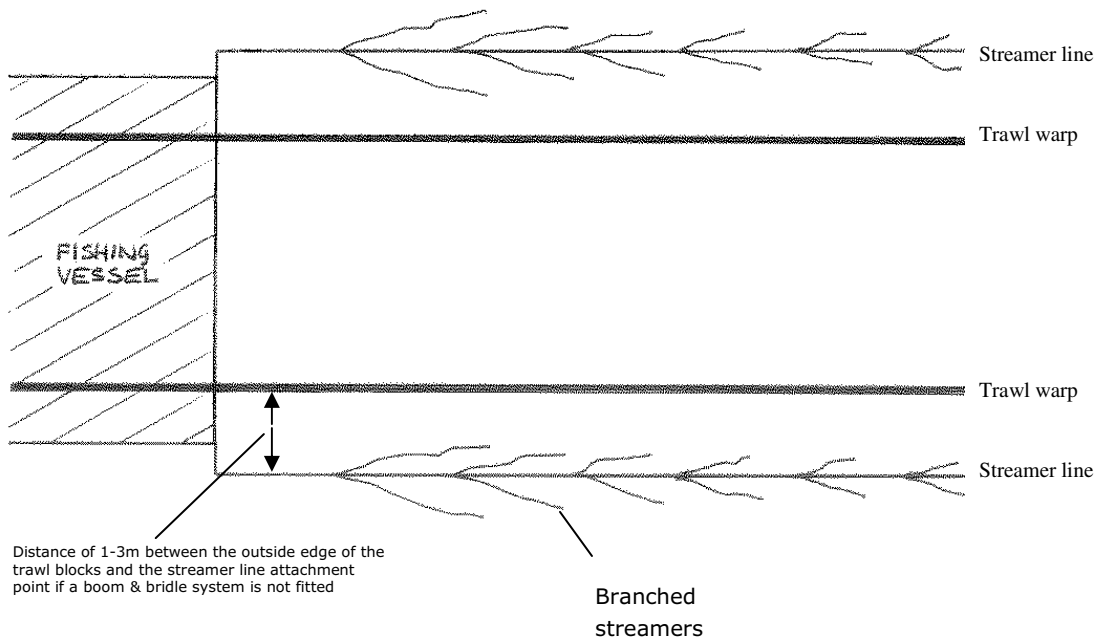
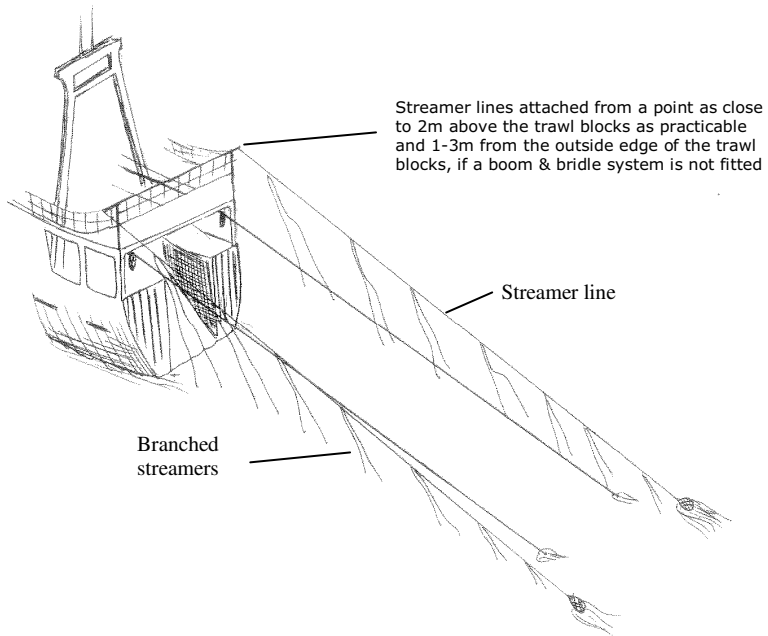
4. Seabird scaring devices authorised by the Chief Executive of the Ministry of Fisheries—(1) All vessels 28 metres or greater in overall length that use a trawl net in New Zealand fisheries waters are required to carry one of the seabird scaring devices contained in this circular.

(2) A seabird scaring device contained in this circular must be deployed as soon as practicable after the shooting of the net, and shall remain deployed for as long as practicable prior to the net being brought back on board the vessel.

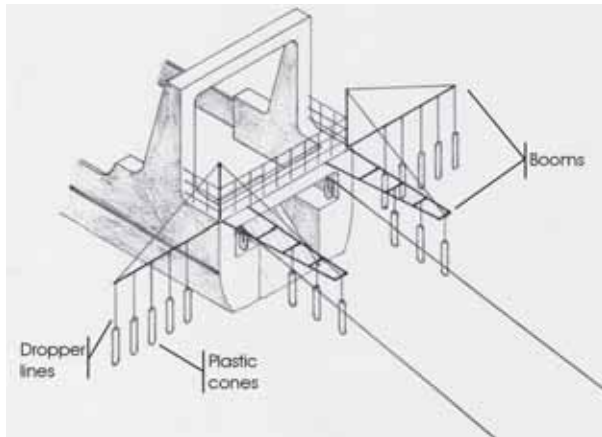
5. The Schedule—(1) The Schedule sets out an illustration to guide the definition of “paired streamer lines”, “bird baffler” and “warp deflector”.

(2) If there is any inconsistency between the illustration in the Schedule and the definition, the definition prevails.

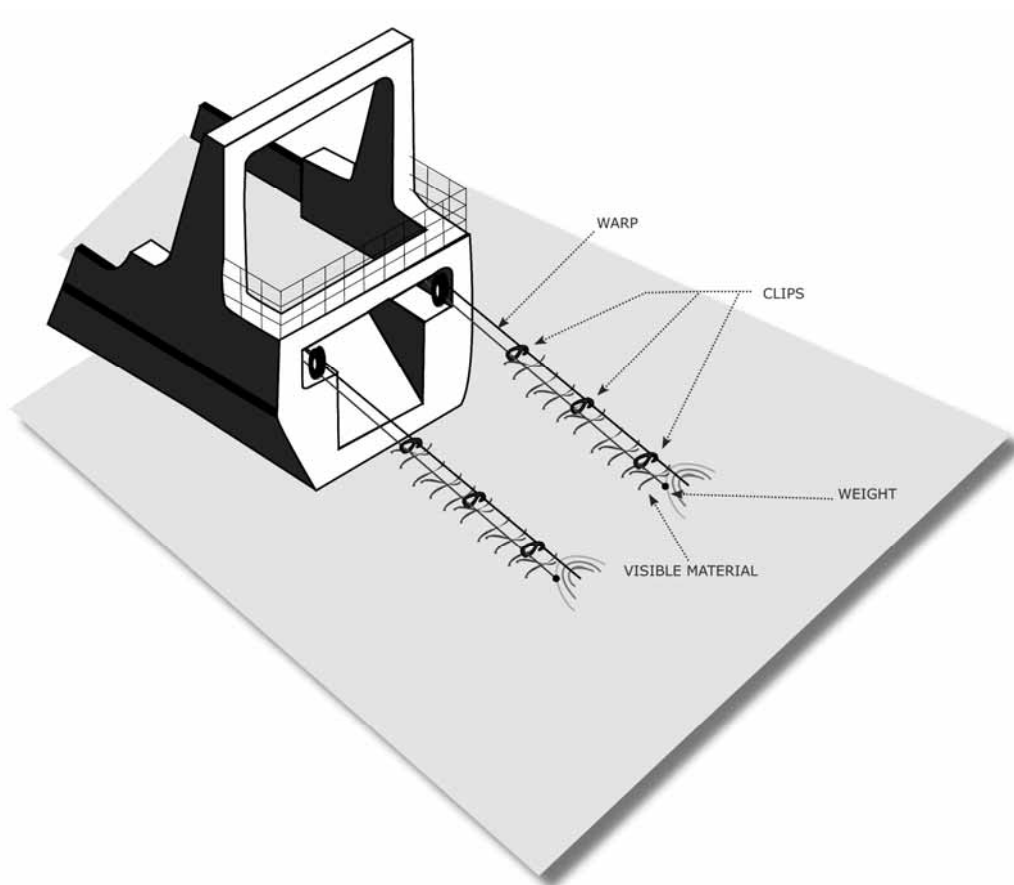
“Paired streamer lines”:

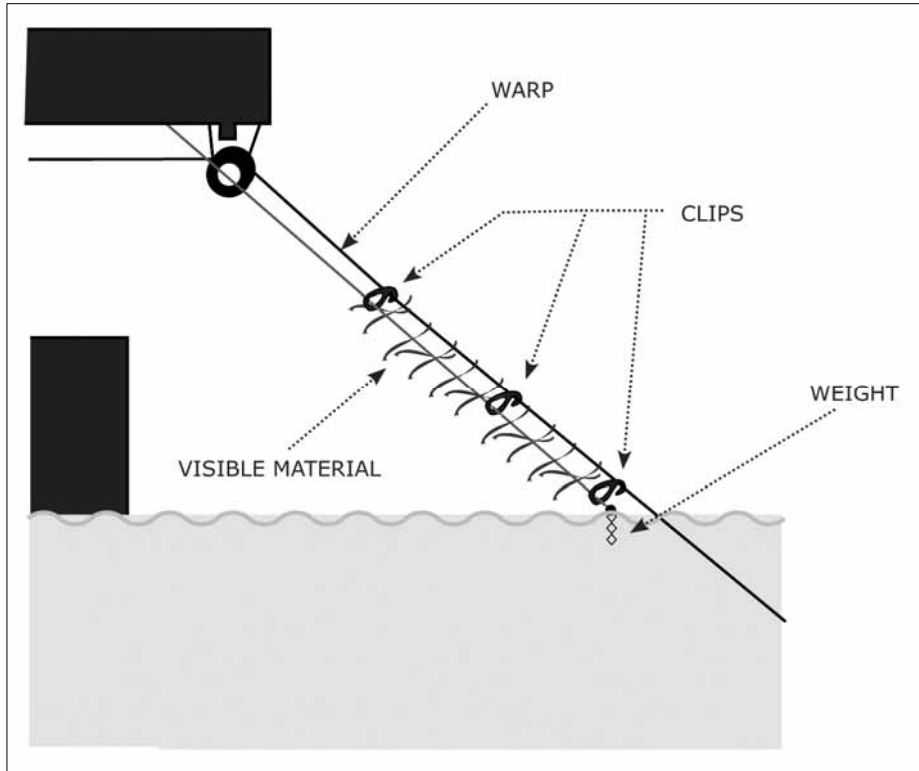


“Bird baffle”:



“Warp deflector”:





AOIFE MARTIN, Fisheries Manager Deepwater, Ministry of Fisheries.

Dated at Wellington this 4th day of March 2010.

Explanatory Note

This note is not part of the circular, but is intended to indicate its general effect.

The intent of this circular is to set out what seabird scaring devices are authorised by the Chief Executive of the Ministry of Fisheries for the purpose of avoiding, remedying or mitigating the effects of fishing-related mortality on seabirds. This circular applies to all vessels 28 metres or greater in overall length that use a trawl net in New Zealand fisheries waters.

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